

**REMEDIAL DESIGN/REMEDIAL ACTION ACCESS  
AGREEMENT BY CONSENT FOR THE NORTH SANITARY  
(aka VALLEYCREST) LANDFILL SUPERFUND SITE  
IN THE CITY OF DAYTON, OHIO**

Address of Affected Property: 115 Valleycrest Drive, Dayton, OH

Parcel Number(s) of Affected Property: City Lot #74626

**WHEREAS**, Linda A. Young is the Owner of real property that is adjacent to or in near proximity to the North Sanitary (aka "Valleycrest") Landfill in Dayton, Ohio.

**WHEREAS**, a Consent Decree was entered by the Federal District Court for the Southern District of Ohio ("Court") on the 30th day of November, 2018 and docketed as United States v. Bridgestone Americas Tire Operations, LLC et al., Docket No. 3:18-cv-00054 (S.D. Ohio) (*hereinafter* "Consent Decree");

**WHEREAS**, the Consent Decree provides for, among other things, various response actions to be performed at the North Sanitary Landfill Superfund ("Site") in the City of Dayton, Ohio, to address Site-related contamination in soils, landfill gas, and groundwater at the Site; and

**WHEREAS**, the U.S. Environmental Protection Agency ("EPA") has determined that implementation of the response actions at the Site requires (1) access to the Affected Property, (2) land use or water use restrictions relating to the Affected Property, and/or (3) easements or covenants that limit land, water, or other resource use at, and/or provide access rights to, the Affected Property.

**NOW WHEREFORE**, to allow the implementation of the response actions to be taken at the Site, Owner shall:

1. Grant to officers, employees, contractors, and authorized representatives of EPA, Ohio Environmental Protection Agency ("OEPA") or the Settling Work Parties (as defined under Paragraph 4.ii of the Consent Decree) the right to enter and have continued access to the Affected Property for the purpose of performing any and all response actions required under, or relating to, the Consent Decree;

2. Refrain from any and all uses of the Affected Property that:
  - a. Interfere with, or otherwise could harm, the remedial action selected by EPA for the Site; or
  - b. Could result in any person being exposed to Site-related contaminants in surface and subsurface soils, landfill gas and groundwater; and
3. Consent to the authority of the Court, upon motion filed by the United States or the Settling Work Parties, to enter any order necessary to enforce this consent agreement.
4. The access granted by Owner shall continue until the Owner is notified by either the Settling Work Parties or EPA that there is no further need for access to the Affected Property, or EPA issues a Completion Notice for the Site, whichever comes first.

By my signature below, I certify that I have authority to execute this consent agreement and that I do so voluntarily with knowledge of Owner's right to refuse and without threat or promises of any kind.

Nov 23 2021  
Date

[Signature]  
Signature  
Linda A Young  
Print Name

Sworn to and subscribed before me, a Notary Public, this 23<sup>RD</sup> day of November, 2021.

[Signature]  
Signature of Notary Public

My Commission expires on \_\_\_\_\_

STEVE N. SIEGEL, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date.  
Section 147.03